

AO 440 (Del Rev. 10/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of DELAWARE

McNEIL NUTRITIONALS, LLC,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

THE SUGAR ASSOCIATION et al.,

Defendants.

CASE NUMBER: 05-69

TO: (Name and address of Defendant)

The Amalgamated Sugar Company
c/o The Corporation Trust Company (registered agent)
1209 Orange Street
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven J. Balick
John G. Day
Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

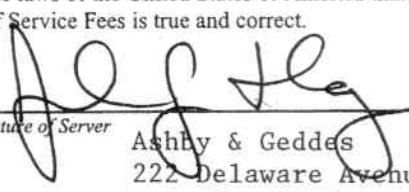
CLERK

February 10, 2005

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE March 10, 2005	
NAME OF SERVER (PRINT) John G. Day	TITLE Attorney	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): Hand delivered the summons and complaint to counsel for Amalgamated Sugar Company per agreement of counsel. _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>March 10, 2005</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 65%;"> <p style="text-align: center; font-size: small;">Signature of Server</p>  <p style="text-align: center;">Ashby & Geddes 222 Delaware Avenue, 17th Floor P.O. Box 1150 Wilmington, DE 19899</p> <p style="text-align: center; font-size: small;">Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.